

Migration Management: US Experience and Implications for Thailand

Philip Martin: plmartin@ucdavis.edu

<http://migration.ucdavis.edu>

March 11, 2010

Highlights

- US has 38 million foreign-born residents, 20% of global total—11 million, 30%, are unauthorized
- Foreigners enter via front, side, and back doors; immigration often means enter via one door and adjust status
- US reform? Sanctions, legalization, and future flows
- Lessons: Perfect = enemy of good; beware migrant distortion & dependence

Front Door to the US

- Front door legal immigrants; 1.1 million in FY08; almost 60% already in US
 - Immediate relatives of US citizens = 490,000; other family unification = 230,000; overall--2/3 of immigrants = family members of people already in USA
 - Employment based = 165,000, 90% in USA
 - Refugees, 90,000; Diversity, 42,000
- Employment immigration = adjustment of status. Question—who selects side-and back-door immigrants?

Side-Door Non-Immigrants

- About 40 million nonimmigrant admissions in FY08 (excludes Canada and Mexico)
- Nonimmigrant: admitted for a specific time +purpose; 80% tourists, 15% business visitors
- Plus 1.1 million temporary worker admissions (double counts individuals), from H-1B to L (intra-company), O (outstanding), P (athletes), TN (NAFTA)
- 900,000 foreign students (and their families)
- 500,000 exchange visitors (J1)
- About 2 million nonimmigrant foreigners can work at least part-time

Back-Door Unauthorized

- Enter without inspection (EWI) or enter legally and violate visa (tourist who works or student who stays after studies without visa)
- 800,000 apprehensions in FY08, down from 1 million in FY07; peak=1.8 million, 1986&2000
- Estimated 11 million unauthorized, including 55% EWIs and 45% visa violators
- Unauthorized and legal immigrants
 - Mexico—source of 60 percent of unauthorized (7 million) and 30 percent of US foreign born (12 million)
 - Mexico: 10% of 120 million born in Mexico = in US

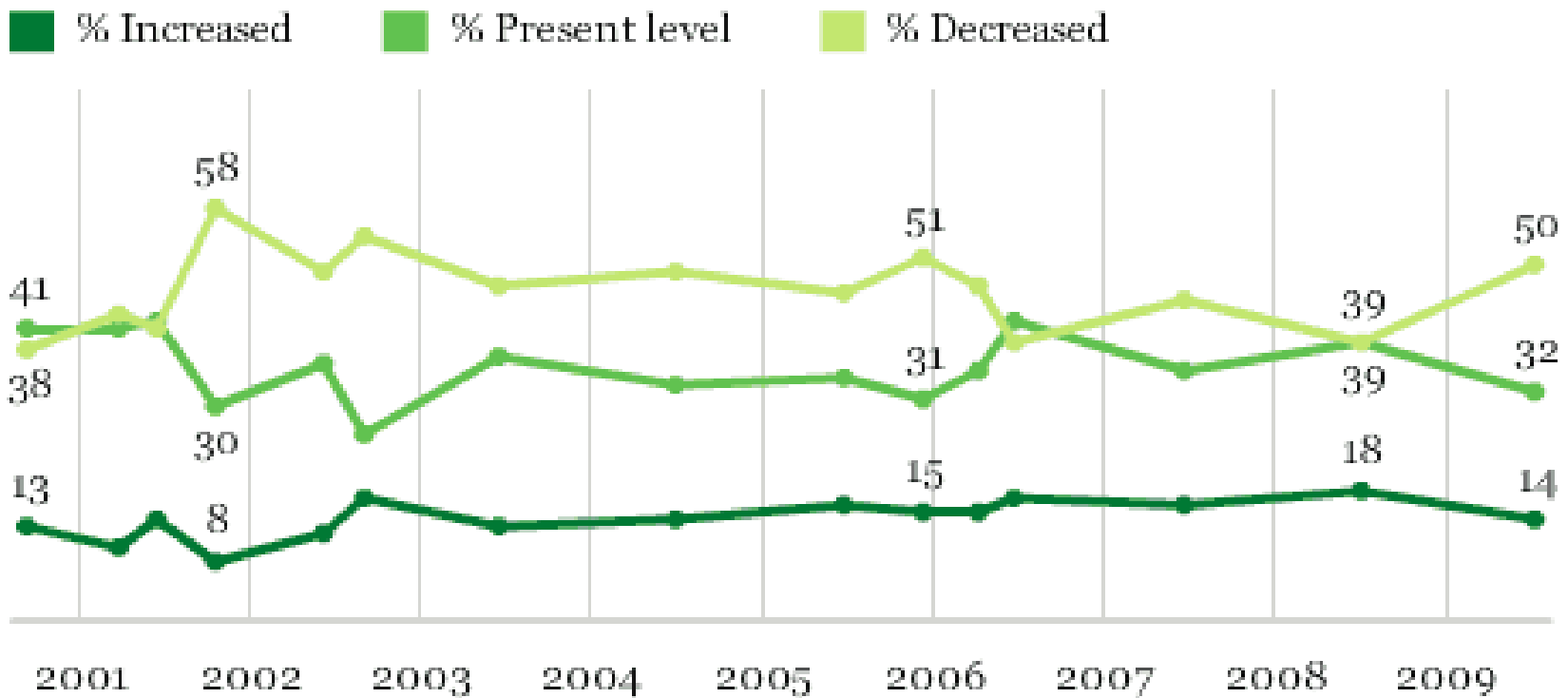
Lessons from US: Polls

- A Nation of Immigrants—but majorities want to (1) reduce legal immigration and (2) government to do more to reduce illegal migration
- 13% of US residents born abroad, with their children at least 25% of US has immigrant background, but less than 20% say “increase immigration”
- 50%+ say “reduce immigration”

Gallup Poll, 2001-2009

In your view, should immigration be kept at its present level, increased, or decreased?

Gallup trend since 2000

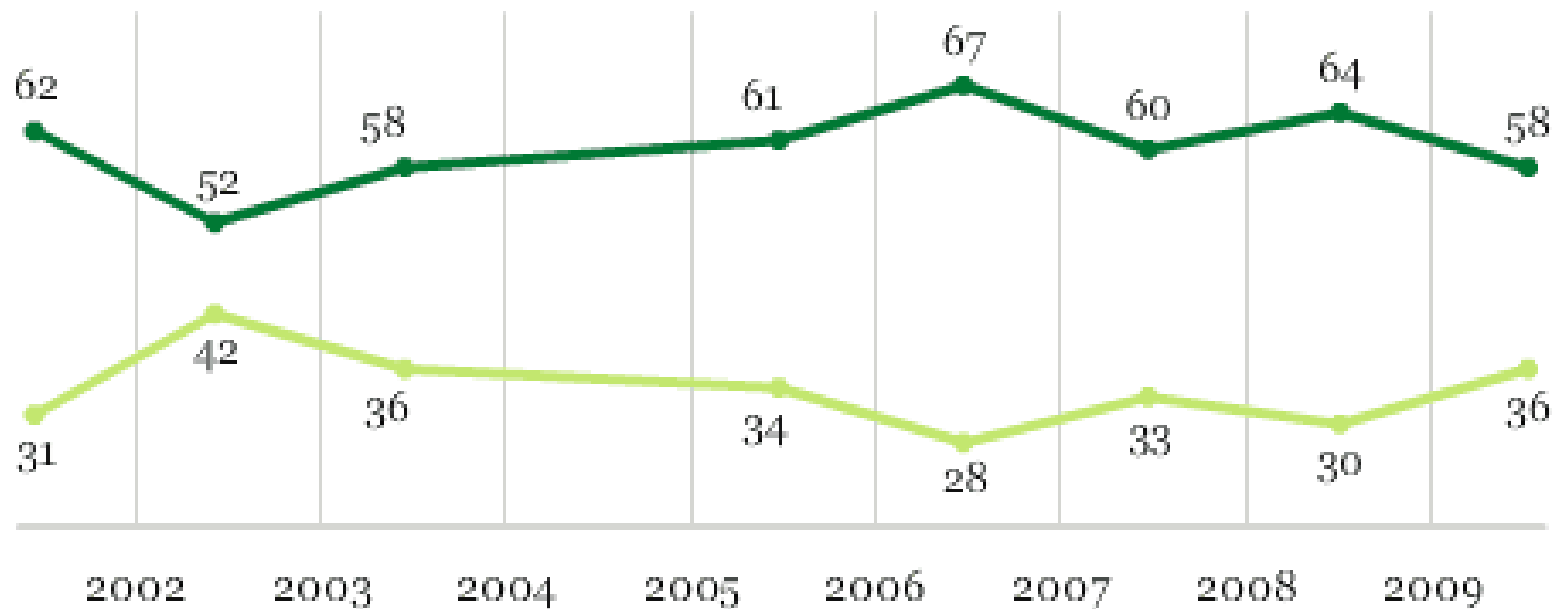


GALLUP POLL

Majority: Immigration is Good

On the whole, do you think immigration is a good thing or a bad thing for this country today?

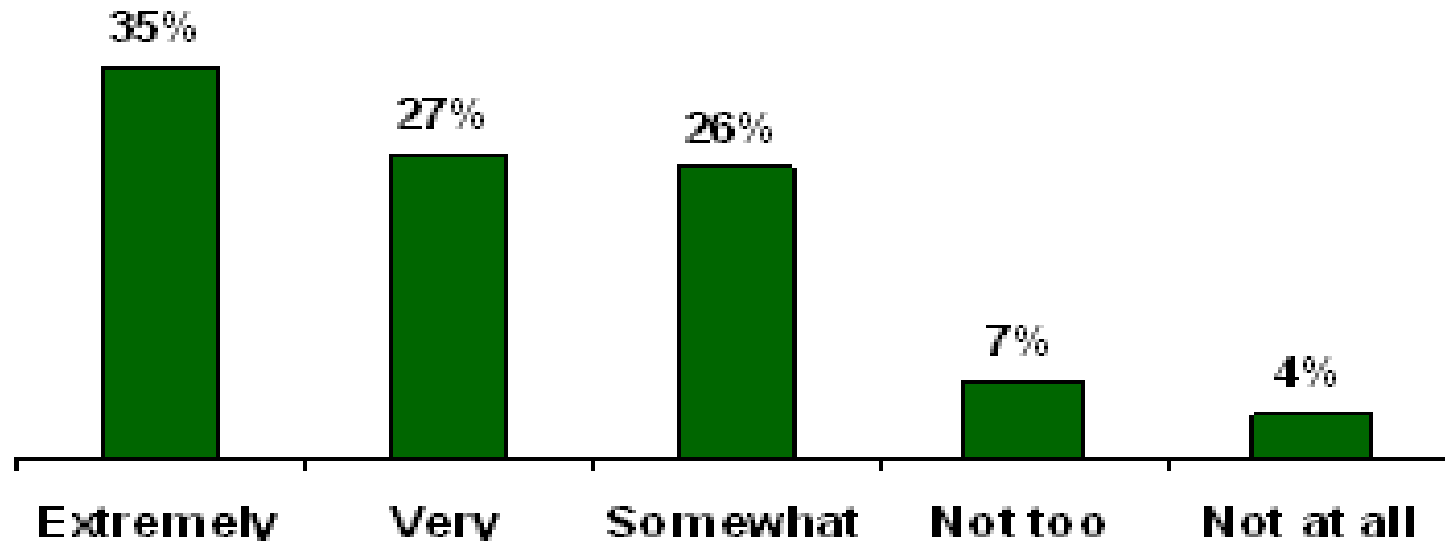
■ % Good thing ■ % Bad thing



GALLUP POLL

Gallup Poll, July 2007

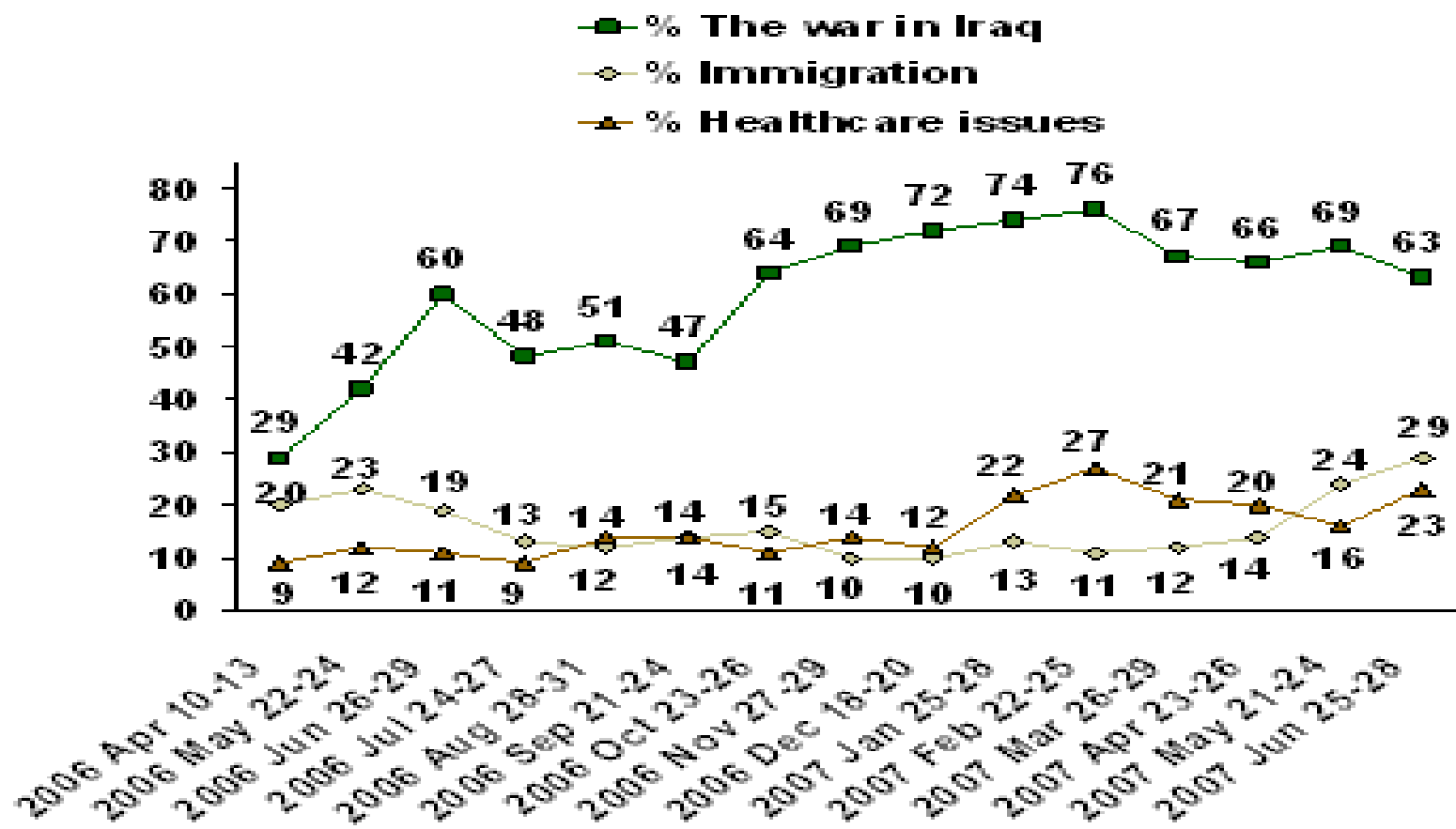
*How important is the issue of illegal immigration to you --
extremely important, very important, somewhat
important, not too important, or not important at all?*



July 6-8, 2007

Immigration = health care

Top One or Two Priorities for the President and Congress Trend



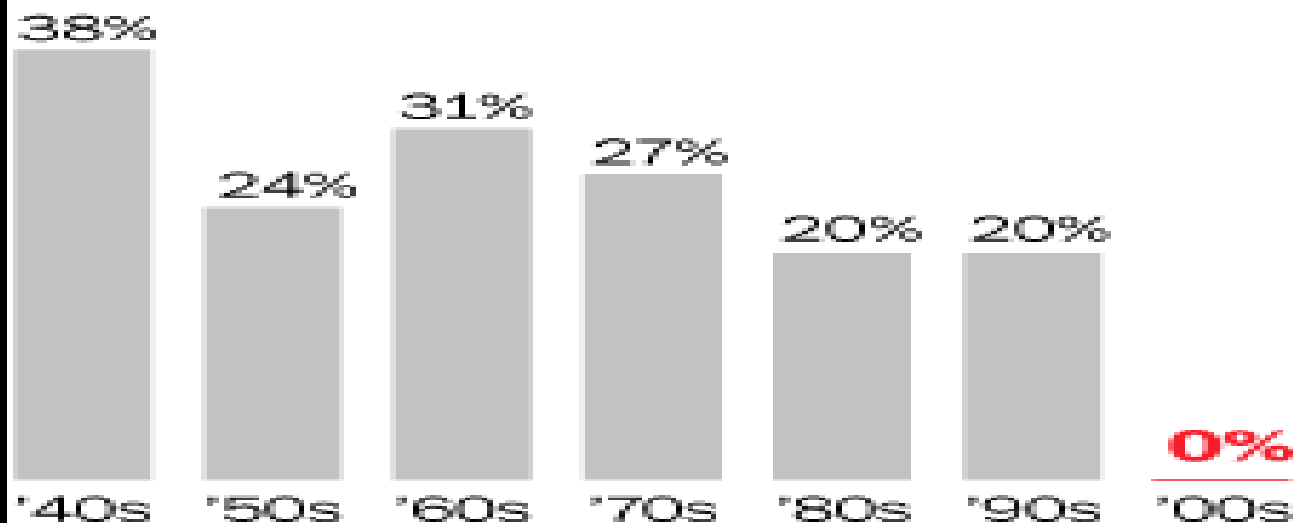
Immigration and Jobs

- Jobs = #1 domestic priority: US **private sector** employment fell from 116 million in December 2007 to 108 million in December 2009; down 8 million
- US responses:
 - \$700 billion stimulus package in 2008
 - \$787 billion stimulus package in 2009
 - \$15 billion stimulus package in 2009
- US job machine: employers want workers when economy adds 3 million jobs a year, over 10,000 net new jobs each work day
- Policy response in boom times: increase guest workers, tolerate unauthorized

Top Priority 2010: Create Jobs

There was **zero net job creation** in the first decade of the new millennium, compared to healthy job growth in each of the previous six decades.

Job growth: percent change in payroll employment.*



*2000s extends through Nov. 2009

Immigration Reforms

- 1986: 3-5 million unauthorized, Grand Bargain: sanctions on employers, legalization for 2.7 million foreigners
- 1990: unemployment fell from 12 percent in 1982 to 8 percent in 1989, high-tech employers asked for easier access to immigrant workers
 - Increase economic immigrants from 54,000 to 140,000 a year (including family)
 - Create H-1B visa program, 65,000 a year

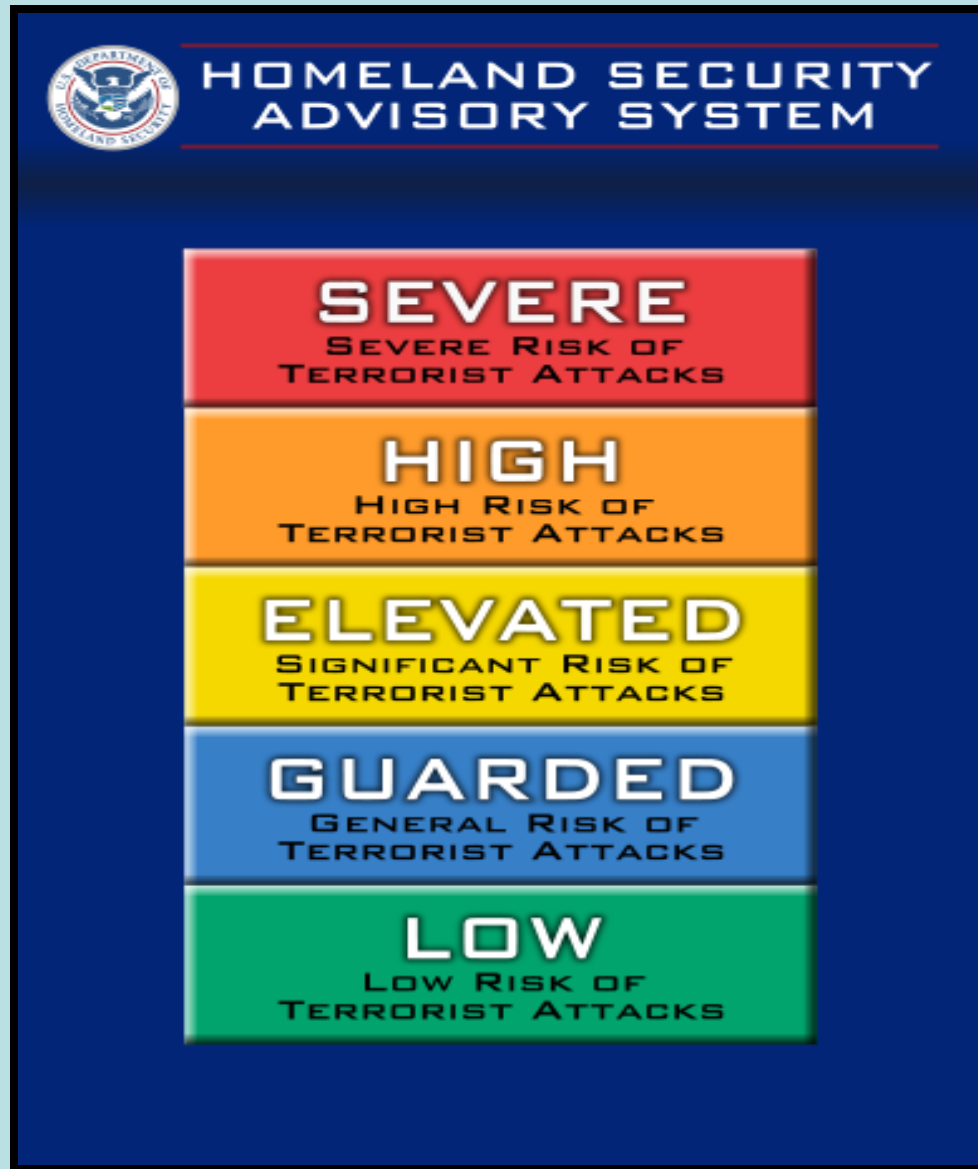
Other Immigration Reforms

- 1996: The Anti-Terrorism and Effective Death Penalty Act; the Personal Responsibility and Work Opportunity Reconciliation Act; and the Illegal Immigration Reform and Immigrant Responsibility Act; late 1990s: restore some access to means-tested welfare benefits
- 2000: American Competitiveness in the Twenty-First Century Act, raise H-1B cap to 195,000 a year; (new) employers pay \$1,000 per H-1B to train Americans for S&E jobs
- Bush: 2004 Principles for Immigration Reform

From INS to DHS

- DHS: created in Nov 2002, 1 year after 9/11
- 3rd largest federal agency, after Dept of Defense & Veteran's Administration
- DHS has 3 immigration-related agencies
 - U.S. Customs and Border Protection
 - U.S. Immigration and Customs Enforcement (interior)
 - U.S. Citizenship and Immigration Services (immigrant visas in US, naturalization, and E-Verify so employers can check new hires)
- Issue: combine or separate immigration services and enforcement?

DHS Threat Chart



Enforcement Vs. Legalization

- House Republicans: Dec 2005, Enforcement first, no repeat of 1986, when only legalization “worked”
- Bipartisan Senate: May 2006 Kennedy-McCain, enforcement and legalization, approved 62-36
- Bipartisan Senate: June 2007 enforcement and legalization, plus guest workers, new point selection system; failed despite strong support from Bush
- 2008 election: both McCain and Obama supported comprehensive reform (= enforcement and legalization), but they differed on guest workers
- 2009-10: Obama priorities: economic recovery, health care reform, financial regulation, climate change

US Immigration Debate 2010

- US—a magnet for the world's migrants
 - 50,000 diversity visas draw 12 million+ apps
 - Continued illegal migration despite fences, agents
- Elite-popular divide on immigration & trade:
 - Elite: attract best and brightest to keep US competitive in globalizing world VERSUS
 - Popular: government should protect Americans from foreign workers and goods
- Extremes: No borders VS No immigrants
 - WSJ (there shall be open borders) VERSUS
 - FAIR-US needs an immigration time out
 - Most migrants and employers--status quo is OK

Thailand Migration

1.8 million foreign workers are 5% of Thai work force; Burmese (3/4), Cambodia, and Laos

Migrants concentrated by geography, industry, and occupation—usually production workers, few official prospects for settlement & upward mobility

Structural dependence on migrants?

--1998--Thais for migrants in rice mills

--2009--Malaysia only SE Asia country that tried to substitute local for migrant workers

No end in sight to emigration pressures from BCL

Thai Migration Policy

- Thailand: Not a country of immigration
 - Thai employers register the migrants they employ and pay fees of about one month's wages so that migrants can work legally for an additional year
 - Most employers pay reg fees and deduct them from wages; some hold worker documents until fees are repaid, making migrants vulnerable
 - Uneven public policy responses: education for migrant children vs. provincial government restrictions on migrants
- Nationality verification--migrants obtain passports from own governments; new migrants admitted under MOUs

Lessons for Thailand 1

- From structural dependence to settlement?
 - Migrants employed in a country at least five years usually find ways to unify or form families and settle (possible exception--Gulf oil exporters)
 - Integrating immigrants and especially their children is often contentious; societies grapple with legacies that include migrants on the bottom rungs of the job ladder & migrant children who have same aspirations as local youth, but may not have education or access to good jobs—recipe for troublesome integration of 2nd and 3rd generations
 - Distortion and dependence over time

Lessons for Thailand 2




- Distortion (too much “good” can be bad):
 - some employers rely on foreign workers—recruitment and supervision change, local workers can be “strangers” in some workplaces
 - “too many” migrants can reduce incentives for local students, e.g. avoid S&E careers
 - “too many” migrants slow investment and productivity growth in ag, construction
- Dependence (regional growth & stability):
 - some foreign workers, areas, and countries become dependent on jobs and remittances
 - Will emigration lead to stay-at-home development in the Philippines?

Final Thoughts

- Thailand: a country of immigration because of economic success—67 million Thais @\$6,000 per person (PPP) surrounded by
 - 50 million Burmese @\$1,300,
 - 15 million Cambodians @\$1,800, and
 - 6 million Laotians @\$2,000
- Migrants contribute to Thai economic growth
- Policy challenge: how to manage labor migration into Thailand as an economic rather than a security issue?
- Rights—best protection for local workers is to protect the rights of migrants—level playing field

 Port-of-Entry Commercial Zone

● U.S. - Mexico Border Crossings

 U.S. - Mexico Border Line
  Highway
 Road





Mexico-Arizona Border
(US on left)



Border in Nogales (US on left)













Joe Valbuena, USDA

Worksite Enforcement—1,282 Arrests at Swift Facilities

December 12, 2006



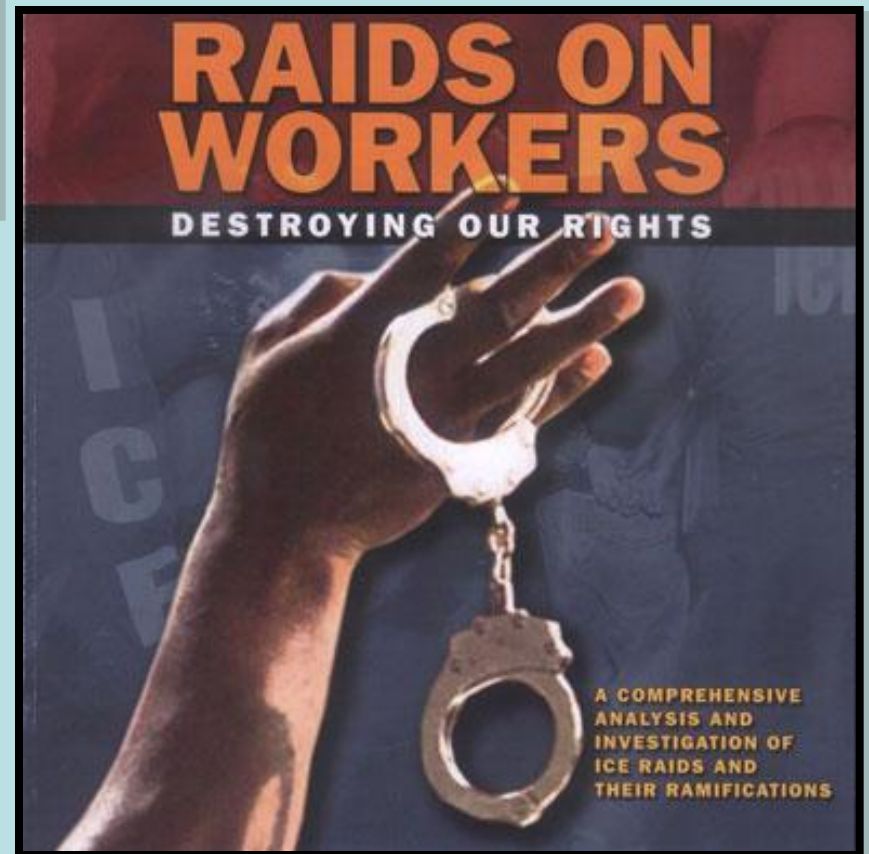
U.S. Immigration
and Customs
Enforcement





Howard Industries raid in Miss.







The Big Chill With Russia

Beyond Putin's tough talk



Daddy Dearest:
What Science
Tells Us About
Fatherhood

**Dropout Finally
Makes Good.**
Gates Gets His
Harvard Degree



TIME

Immigration Why Amnesty Makes Sense

BY NATHAN
THORNBURGH



Joe Klein:
The Tim Russert
I Knew

**Dumping Your
Mortgage? There's
Help—at a Cost**



**How Comic-Book
Heroes Conquered
Hollywood**

TIME

The Great Wall Of America



A billion dollar barrier
is going up between the U.S.
and Mexico. It's reducing illegal
immigration—but does America
really need to wall itself off?
An eyewitness report

BY DAVID VON DREHLE

**IF YOU HAVE THE RIGHT TO WORK,
Don't let anyone take it away.**



If you have a legal right to work in the United States, there are laws to protect you against discrimination in the workplace.

You should know that - No employer can deny you a job or fire you because of your national origin or citizenship status.

In most cases employers cannot require you to be a U.S. citizen or permanent resident or refuse any legally acceptable documents.

If any of these things have happened to you, you may have a valid charge of discrimination that can be filed with the OSC. Contact the OSC for assistance in your own language.

Call 1-800-255-7688, TDD for the hearing impaired is 1-800-257-2515.
In the Washington, D.C. area, please call 202-448-6584, TDD 202-616-5525.
Or write to:
The Office of Special Counsel
Civil Rights Division
U.S. Department of Justice
P.O. Box 27728
Washington, DC 20038-7728

U.S. Department of Justice
Civil Rights Division

Office of Special Counsel for
Immigration-Related Labor
Employment Practices



Our hiring policy is simple:
WE FOLLOW THE LAW!

This company hires lawful work U.S. citizens or nationals and with valid work authorization discrimination.

Federal immigration law requires a verify both the identity and employ of all persons hired to work in the U.S.

In its efforts to meet the law's requirements, this company is participating in the E-Verify program established by the Department of Homeland Security and the Social Security Administration (SSA) to aid employers in verifying the employment eligibility of new hires. Our participation in this program does not exempt us from the requirement to complete a Form I-9 for everyone hired.

For additional information on the verification process, contact the Department of Homeland Security, E-Verify Program, 111 Massachusetts Avenue, 2nd Floor, Washington, DC 20560. Phone: (800) 456-4218.

Nuestra política de empleo es simple:
NOSOTROS SEGUIMOS LA LEY

Sin discriminación, esta compañía emplea solamente trabajadores legales - ciudadanos o nacionales de los Estados Unidos y extranjeros con autorización de trabajo.

La Ley Federal de Inmigración y Nacionalidad requiere que todas las empresas verifiquen la identidad y elegibilidad de las personas que buscan empleo en los Estados Unidos.

En su esfuerzo de cumplir los requisitos de la Ley, esta compañía participa en un programa E-Verify de verificación de empleo, establecido por el Departamento de Seguridad Nacional (DHS) en conjunto con la Administración de Seguro Social en esta forma los empleadores, verifican la elegibilidad de todos los nuevos aplicantes. Nuestra participación en E-Verify hace que no exista ningún tipo de excepción en la Ley, además la obligación de completar el formulario I-9 para toda persona que nosotros empleamos.

Para mayor información de este programa de verificación, puede contactarnos al Departamento de Seguridad Nacional, Programa E-Verify, 111 Calle de Massachusetts, 2do Piso, Washington, DC 20560. Teléfono: (800) 456-4218.

H1-B Work Visa Application

How to Obtain a Work Visa to Come to the U.S.



E-Verify

FIGHT BACK

Workplace Justice for Immigrants

by Aziz Chaudry, Jill Hanley, Steve Imhof,
Eric Shrage & Martha Stigmon



BASICS FROM FERNWOOD PUBLISHING

